

UNITED STATES DISTRICT COURT
for the

Eastern District of North Carolina

United States of America

v.

Thomas Earl Smith

Case No: 7:10-CR-20-1FL

USM No: 53299-056

Date of Original Judgment: February 25, 2011

Date of Previous Amended Judgment: _____

(Use Date of Last Amended Judgment if Any)

Robert E. Waters

Defendant's Attorney

ORDER REGARDING MOTION FOR SENTENCE REDUCTION
PURSUANT TO 18 U.S.C. § 3582(c)(2)

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion, and taking into account the policy statement set forth at USSG §1B1.10 and the sentencing factors set forth in 18 U.S.C. § 3553(a), to the extent that they are applicable,

IT IS ORDERED that the motion is:

☐ DENIED. ☒ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 90 months is reduced to 63 months in Count 1.

Count 3 remains 45 months, consecutive, resulting in a total sentence of 108 months.

If the amount of time the defendant has already served exceeds this sentence, the sentence is reduced to a "Time Served" sentence, subject to an additional period of up to ten (10) days for administrative purposes of releasing the defendant.

(Complete Parts I and II of Page 2 when motion is granted)

Except as otherwise provided, all provisions of the judgment(s) dated February 25, 2011, shall remain in effect. IT IS SO ORDERED.

Order Date: May 20, 2015



Judge's signature

Effective Date: November 1, 2015
(if different from order date)

Louise W. Flanagan, U.S. District Judge

Printed name and title